

00-0-0121

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

FOR DEMOLITION AND CLEANING OF THE PREMISES OF THE STRUCTURES PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING BY THE IN REM REVIEW BOARD ON DECEMBER 30, 1999.

- 1499-1509 Beecher Street, SW D - 4
- 757 Custer Avenue, SE D - 1
- 39 Daniel Street, SE D - 5
- 185 Fairfield Place, NW D - 9
- 1981 Hollywood Road, NW D - 9
- 1972 Lois Place, NW D - 9
- 494 Morgan Street, NE D - 2
- 165 Stratford Drive, NW D - 10
- 583 Whitaker Street, NW D - 3

ADOPTED BY
FEB 21 2000
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 2/7/00

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

CD/HR
2/2/00
John L. Jones
CD/HR

Committee
Date
Chair
Referred to

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
FEB 21 2000
John M. Jones
ACTING COUNCIL PRESIDENT PROTEM

CERTIFIED
FEB 21 2000
Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
FEB 21 2000
[Signature]



**FOR DEMOLITION AND CLEANING OF THE PREMISES OF THE
STRUCTURES PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING
CODE AND A HEARING BY THE IN REM REVIEW BOARD ON 12-30-99**

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on 12-30-99, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on 12-30-99, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty (50%) or less of the value of the structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and/or parties in interest an Order requiring the owner(s) and/or parties in interest to demolish such structures, clean the premises and plant grass on the lot as pursuant to Section 33(3)c of the Atlanta Housing Code.

A period of 30 days from the date of said order was allowed for the owner (s) and/or parties in interest to comply with the Order.

WHEREAS, the owner(s) and/or parties in interest of the properties, failed to comply with the Order of the In Rem Review Board within the specified time;

THEREFORE, BE IT ORDAINED by the Council of the City of Atlanta, as follows:

SECTION I.

The Director of the Bureau of Neighborhood Conservation is forthwith authorized to:

- (1) Vacate the structure, (if occupied).
- (2) Clean the premises and demolish the structure(s) and plant grass in conformity with the In Rem Review Board's Order.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.

SECTION II.

All ordinances or parts of ordinances in conflict with this ordinance are repealed.



During the proceeding, the Director of the Bureau of Neighborhood Conservation
authorized to engage the services of the City's prequalified contractor. The real property,
each structure(s) are attached, is described as follows:

Property Street Address	District
1499-1509 Beecher Street, SW	04
757 Custer Avenue, SE	01
39 Daniel Street, SE	05
185 Fairfield Place, NW	09
1981 Hollywood Road, NW	09
1972 Lois Place, NW	09
494 Morgan Street, NE	02
165 Stratford Drive, NW	10
583 Whitaker Street, NW	03



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

National Tax Funding, L.P.
Ricky Hall, Dallas Mosley, Jr., and Phyllis A. Daniel Mosley
IRS

on **11-8-99** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

TRACT I
ALL THAT TRACT or parcel of land lying and being in the City of Atlanta, in Land Lot 139 of the 14th District of Fulton County, Georgia, being a part of the property formerly owned by Paul Baron, as per plat made by J.W. Burpitt, C.E., August 31st, 1938, on file in the office of Atlanta Title & Trust Co., more particularly described as follows:

BEGINNING at a point on the north side of Beecher Street fifty three (53) feet east from the northeast corner of Beecher Street and Cascade Avenue; thence east along the north side of Beecher Street fifty and one-fourth (50 1/4) feet, more or less, to a party wall; thence northerly fifty and eight-tenths (50.8) feet; thence west fifty and one-fourth (50 1/4) feet, more or less; thence southerly fifty-one (51) feet to the point of beginning on the north side of Beecher Street. Being improved property known as No. 1505, 1507 and 1509 Beecher Street, S.W., according to the present numbering of houses in the City of Atlanta.

TRACT II
Beginning at a point on the north side of Beecher Street 132 feet east of the northeast corner of Cascade Avenue and Beecher Street, which point of beginning is the southeast corner of the property now or formerly owned by E.T. Pullen and G. H. Stegany; running thence east along the north side of Beecher Street 72.4 feet to an iron pin and the west side of a 10 foot alley; running thence northeast along the west side of said 10 foot alley 50.5 feet to an iron pin; thence west 70.6 feet to the northeast corner of the property now or formerly owned by E.T. Pullen, et al; thence southeasterly along the easterly line of said Pullen property 51 feet to the north side of Beecher Street and the point of beginning; being improved property having a one-story brick building located thereon known as Nos. 1499-1501 and 1503 Beecher Street, S.W.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 8, 1999

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Marcus Leroy Barnes, Agnes E. Barnes Perkerson, Stanley A. Barnes and Kirby J. Barnes

on **12-6-99** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in
Land Lot 24 of the 14th District of Fulton County, Georgia,
being Lot 22, Block D, Unit 2 of Benteen Subdivision,
according to plat which is recorded in Plat Book 52, page 54,
Fulton County records, and being more particularly described
as follows:

BEGINNING at a point on the south side of Custer Avenue five hundred ninety-eight (598) feet east from the southeast corner of the intersection of Custer Avenue and Funston Street; said point of beginning also being at the east line of Lot 21, said block, subdivision and plat; thence running east along the south side of Custer Avenue sixty-six (66) feet to the west line of Lot 23, said block, subdivision and plat; thence south along the west line of said Lot 23, one hundred thirty-seven and four tenths (137.4) feet; thence west sixty-six (66) feet to the above mentioned east line of Lot 21; thence north along the east line of said Lot 21, one hundred thirty-seven and four-tenths (137.4) feet to the south side of Custer Avenue and the point of beginning; being improved property, known as 757 Custer Avenue, S.E., according to the present system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 6, 1999

BY:

Dale S. Hayward

Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Canty

Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Maggie M. Howell (1/2 interest), Victory Outreach Ministries (1/2 interest)

on 12-6-99 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 45 of the 14th District, of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the southwest side of Daniel Street 60 feet northwest of the intersection of the southwest side of Daniel Street and the north side of Gartrell Street; thence west parallel with Gartrell Street 132 feet to a point; thence northwest parallel with Daniel Street 48 feet to a point; thence east 132 feet to a point on the southwest side of Daniel Street; thence southeast along the southwest side of Daniel Street 48 feet to the point of beginning, being 39 Daniel Street, Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 6, 1999

BY: Dale S. Hayward
Bureau of Neighborhood Conservation, Official Agent

BY: Bill Coats
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Tri Star Real Estate Investment and Finance, Inc.

on 12-6-99 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract and parcel of land lying and being in Land Lot 179 of the 14th District of Fulton County, Georgia, being Lot 17 in Block 'C' of the Thorpean Heights Subdivision, as per plat recorded in Plat Book 15, page 23, Fulton County Records, more particularly described as follows:

BEGINNING at a point on the east side of Fairfield Place (formerly Thorpean Avenue) 631.5 feet north from the northeast corner of Fairfield Place and Piny Street; thence running east along the north line of Lot 13, 131.5 feet; thence north 48 feet to the line of Lot 18; thence running west 132 feet to Fairfield Place; thence running south along the east side of Fairfield Place 48 feet to the point of beginning, being improved property known as NUMBER 125 FAIRFIELD PLACE, N.W., according to the present numbering of houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 6, 1999

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartwright
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Jitendra G. Thakker and Bharati J. Thakker
Ruby Hudson Baker f/k/a Ruby Hudson Summerlin
Credithrift of America
Americian General Finance, Inc.
Monceny G. Mendoza, National Lending Center, Inc., Lee Jaraysi

on **12-6-99** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 252 of the 17th District Fulton County, Georgia, being part of Lot 103 of Block N, as per plat of L.W. Roberts, 1914, recorded in Plat Book 6, pages 132 and 133, Fulton County Records, more particularly described as follows:

BEGINNING at a point on the southeast side of Hollywood Road 112 feet northeast of the northeast corner of Hollywood Road and McGriff Street; thence running southeast along Lot 104 of said property 285 feet, more or less, to Lot 102A; thence northeast along the line of said Lot 102A, 64 feet; thence north on a line parallel to and 20 feet west of the east line of said Lot 103, a distance of 200 feet to a point; thence east 20 feet to the southwest corner of Lot 81 of said property; thence north along the west line of said Lot 81 a distance of 127 feet to the southeast side of Hollywood Road; thence southwest along the southeast side of Hollywood Road 98 feet, more or less, to the point of beginning, being known as No. 1991 Hollywood Road, N.W., according to the present system of numbering houses in the City of Atlanta, Georgia.

ALSO:

ALL that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 252 of the 17th District Fulton County, Georgia, and being known as Lots 102, Block B, and 102A, Block B, as per plat of L.W. Roberts, dated 1914, and recorded in Plat Book 6, pages 132-133, Fulton County Records, said plat being incorporated herein by reference.

ALSO:

ALL that tract or parcel of land lying and being in Land Lot 252 of the 17th District, Fulton County, Georgia, known as Lot 104, Block N, on the plat of the Spink property by L.W. Robert, 1914, recorded in Plat Book 6, pages 132 and 133, Fulton County Records, said plat being incorporated herein by reference.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 6, 1999

BY:

Dale S. Hayward

Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter

Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

WILLIAM

Fannie Lou Williams & Loree Bradley
Fidelity Federal Savings & Loan Association

on **11-8-99** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract and parcel of land
lying and being in Land lot 226 of the 17th District of Fulton County, Georgia, being
Lot 16 of Block B G, as shown on a plat designated "Plat B Subdivision being part
of William E. Sims Estate", made by E. B. Respass, Civ. Engr., dated February, 1924,
recorded in Plat Book 10, pages 116 and 117, Fulton County Records, and being more
particularly described as follows:

BEGINNING at a point on the southeasterly side of Lois Place, 150 feet northeasterly,
along the southeasterly side of Lois Place, from the corner formed by the southeasterly
side of Lois Place and the southeasterly side of Jones Avenue, which point of begin-
ning is also at the northerly corner of Lot 17, of Block B G, as shown on said plat,
and running thence northeasterly along the southeasterly side of Lois Place 50 feet
to the mostwesterly corner of Lot 15, of Block B G, as shown on said plat; thence
southeasterly, along the southwesterly line of said Lot 15, 150 feet to the most
southerly corner of said Lot 15, and, also, to the most northerly corner of Lot 7,
of Block B G, as shown on said plat, thence southwesterly 50 feet to the most easterly
corner of said Lot 17; thence northwesterly, along the northeasterly line of said Lot
18, 150 feet to the most northerly corner of said Lot 17, the southeasterly side of
Lois Place, and the point of beginning, being unimproved property known as #1372
Lois Place, N. W., according to the present system of numbering property in the City
of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: November 8, 1999

BY: Dale S. Hayward
Bureau of Neighborhood Conservation, Official Agent

BY: Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Real Estate Tax Fund, Inc.

~~Rights of Redemption~~ of Magnolia Harris and Cleve Harris

on 1-8-99 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

... all that tract or parcel of land lying and being in Land Lot 47 of the 14th District of Fulton County, Georgia, in the City of Atlanta, being Lot 48 of Byron A. Beck's Subdivision of the former Property, according to plat thereof recorded in Deed Book R-4, Page 801, of the Fulton County Records, and being more particularly described as follows:

BEING: at a point in the northwest side of Morgan Street 700 feet northeasterly from the intersection of the northwest side of Morgan Street with the east side of North Boulevard, at the east line of an alley running thence northeasterly along the northwest side of Morgan Street, 50 feet to the southwest corner of Lot 47, said Subdivision; thence north along the west line of said Lot 47, 166-1/2 feet to the southeast corner of Lot 36 of said Subdivision; thence westerly along the south end of said Lot 36, 50 feet, more or less, to the east line of said alley; thence south along the east side of said alley, 171 feet to the point of beginning; being improved property known as No. 494 Morgan Street N.E., according to the present system of numbering houses in the City of Atlanta,

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: January 8, 1999

BY: Paul S. Hayward
Bureau of Neighborhood Conservation, Official Agent

BY: Bill Castrop
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Ringer Hailes and Julie Hailes
Tess W. Hailes
Philip E. Davis
IRS

on 11-8-99 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 238 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOTS 47 AND 48, BLOCK "A" OF RAOUL ESTATE SUBDIVISION MADE BY GORDON NALLEY, ENGINEER, DATED APRIL 1938, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST SIDE OF STRATFORD DRIVE AT A POINT 1,578.2 FEET NORTH FROM THE INTERSECTION OF THE NORTH SIDE OF BURTON ROAD WITH THE EAST SIDE OF STRATFORD DRIVE; AND RUNNING THENCE EAST 228.0 FEET TO AN IRON PIN; THENCE 100.0 FEET TO AN IRON PIN; THENCE WEST 228.0 FEET TO THE EAST SIDE OF STRATFORD DRIVE; THENCE SOUTH ALONG THE EAST SIDE OF STRATFORD DRIVE 100.0 FEET TO THE POINT OF BEGINNING. Being improved property known as 165 STRATFORD DRIVE, NW, according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 8, 1999

BY:

Dale A. Hargood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Jessie Mae Ingram, Michael Ingram, Jerome Ingram, Shirley Ingram and Pamela Ingram
Downtown Management d/b/a Aid Bonding Company**

on **12-6-99** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lot 114 of the 14th District of Fulton County, Georgia, being part of Lots 4 and 5, Block 2 of Plat of Estate of Mrs. Carrie Elliott as per plat recorded in Plat Book 12, Page 75, Fulton county Records, and being more particularly described as follows: BEGINNING at a point on the East side of Whittaker Street, fifty-four(54) feet North from the intersection of the east side of Whittaker Street with the north side of Poland Street; running thence north along the east side of Whittaker Street forty-nine (49) feet to property of William A. & Ida Ritz, said point being one hundred ninety-seven (197) feet south from the intersection of the east side of Whittaker Street with the south side of Pelham Street; running thence east along the south line of said Ritz Property, one hundred twenty-nine and one tenth (129.1) feet to the west side of Trammel Street, forty-nine (49) feet; running thence west one hundred twenty-nine and nine-tenths (129.9) feet to the east side of Whittaker Street and the point of beginning, being improved property having a house thereon known as No. 583 Whittaker Street, N.W., according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 6, 1999

BY: Dale S. Hangood
Bureau of Neighborhood Conservation, Official Agent

BY: Bill Carter
Assistant Real Estate City Attorney

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

February 21, 2000
February 29, 2000

Starnes Presided

RCS# 1772
2/21/00
2:40 PM

Atlanta City Council

Regular Session

MULTIPLE

CLEANING, CLOSING, DEMOLITION OF
STRUCTURES; 00-O-0120 AND 00-O-0121
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

MULTIPLE